

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

Civil Writ Petition No. 14274 of 2016

Date of Decision: 21.7.2016

Darshan Singh and others

.....Petitioners

Vs.

State of Punjab and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

Present : Mr. Sandeep Kumar Yadav, Advocate
for the petitioners.

RAMESHWAR SINGH MALIK J. (ORAL)

Feeling aggrieved against the alleged inaction on the part of the respondent authorities, petitioners have approached this Court by way of present writ petition under Articles 226/227 of the Constitution of India, seeking a writ in the nature of Mandamus, directing the respondent authorities to sanction mutation by way of inheritance in favour of the petitioners and remaining co-sharers, on the basis of civil court decree dated 18.7.1984 (Annexure P-1) which has attained finality up to the Hon'ble Supreme Court of India.

During the course of hearing, when a pointed question was put to the learned counsel for the petitioners as to how present petition is maintainable in the absence of any execution of civil court decree having been filed by the petitioners, he had no answer. Admittedly, civil court

decree which has been sought to be executed by way of present writ petition was never sought to be executed by the petitioners by filing an execution application before the learned executing court. Even if the civil court decree has attained finality, beneficiaries thereof would not be without any remedy and would also be at liberty to file execution thereof.

In view of the undisputed fact situation obtaining in the present case, this Court is of the considered view that present writ petition is wholly misconceived, bereft of merit and without any substance, thus, it must fail. No case for interference has been made out.

Dismissed.

(RAMESHWAR SINGH MALIK)
JUDGE

21.7.2016
Ak Sharma